

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA - NORTHERN DIVISION**

BETTY ANN BURKS, <u>et</u> al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	No. 2:06-CV-1081-MEF
	:	
EQUITY GROUP EUFAULA	:	
DIVISION LLC,	:	
	:	
Defendant.	:	

RESPONSE TO PLAINTIFFS' MOTION TO AMEND COMPLAINT

Plaintiffs filed their Motion to Amend Complaint (Dkt. No 18) on or about February 22, 2007. After reviewing plaintiffs' Motion to Amend, Defendant, Equity Group Eufaula Division LLC ("Equity Group"), does not oppose the allowance of the amendment. Equity Group reserves its rights to otherwise contest the propriety of the proposed opt-in class as well as the joinder of the named plaintiffs in one action.

Equity Group, requests, however, that the Court allow it 20 days, instead of the 10 days normally allowed under Rule 15, F.R.C.P., to file its response to the Amended Complaint. Equity Group requests this additional time to allow it to investigate the "clarified" class allegations and further determine the status of the purported opt-in plaintiffs who have filed consents to join this action since Equity Group filed its initial Answer. Equity Group does not believe that the grant of this additional 10 days will affect the remainder of the schedule in this matter or unduly prejudice plaintiffs.

As such, if the Court grants Plaintiffs' Motion to Amend, Equity Group respectfully requests that the Court allow it 20 days after the grant of the Motion to file its Answer to the Amended Complaint.

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EQUITY GROUP EUFAULA :
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CERTIFICATE OF SERVICE

The undersigned counsel for Equity Group Eufaula Division LLC hereby certifies that a true and correct copy of the Report of Parties' Meeting in the above-captioned matter was filed electronically with the Clerk of Court on March 5, 2007 using the CM/ECF system, which will send notification of such filing to:

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